

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,	:	
	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	
	:	NO. 24-612
MICHAEL DICURCIO,	:	
	:	
Defendant.	:	

ORDER

AND NOW, this 24th day of April, 2024, upon consideration of Plaintiff's Motion for Preliminary Injunction (Doc. No. 2), and following a second hearing, it is hereby **ORDERED** that:

1. Defendant is found to be in **CIVIL CONTEMPT** of the February 29, 2024 Court Order, paragraphs 4(a), (c), (d), (e), and (f). Imposition of sanctions is held under advisement pending review of the following submissions:
 - a. Within **ten (10) days** from the date of this Order, the Government shall submit a letter brief containing the following information:
 - i. A listing, with as many identifiers as possible, of the precise drones which the Government wants to take possession of (including the MAVIC-3 drone flown on April 8, 2024);
 - ii. The Government's plan for any drones seized, including how long it intends to hold these items and what it intends to do with them; and
 - iii. Legal authority allowing a court to order seizure of the drones as a sanction for civil contempt.
 - b. The Government shall serve a copy of its letter brief on Defendant. Defendant will then have **seven (7) days** from receipt of that letter brief to file a responsive letter brief.
2. Defendant is **PROHIBITED** from operation of any and all drones.
3. Defendant is reminded that all of the conditions set forth in the Court's February 29, 2024 Order remain in full force and effect.

4. Defendant is advised that any further violations of either this Order or the February 29, 2024 Order could result in a variety of sanctions including fines and incarceration.¹

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.

¹ Subsequent to the April 24, 2024 hearing, I became aware of a video filmed by Defendant the same day and apparently posted on YouTube just prior to the hearing. In this video, Defendant appears to be operating a drone in a manner that directly violates specific portions of my February 29, 2024 Order. Although I did not consider this video when issuing my contempt findings, and although this video has quickly been removed from Defendant's YouTube channel, I take judicial notice of its existence and again respectfully remind Defendant that his conduct involves a serious safety aviation matter.